

Regular Session, 2010

SENATE BILL NO. 642

BY SENATOR MORRELL

CRIMINAL PROCEDURE. Provides relative to bond forfeitures.

AN ACT

To enact Code of Criminal Procedure Art. 334.3(A)(4), relative to bail; to provide for release on bail; to provide for forfeiture or revocation of bail; to provide for procedure; and to provide for related matters.

Section 1. Code of Criminal Procedure Article 334.3(A)(4) is hereby enacted to read as follows:

Art. 334.3. Prohibition on subsequent bail obligation following revocation or forfeiture; certain offenses

A. \* \* \*

(4) Notwithstanding the provisions of Subparagraphs (2) and (3) of this Paragraph, after a contradictory hearing, any person who voluntarily surrenders following revocation or forfeiture of bail may be released on the forfeited or revoked bail provided the revocation or forfeiture of the bail is rescinded by the court and the surety is present or represented at the hearing and consents. Previous instances of revocation or forfeiture of bail in unrelated cases is admissible at that contradictory hearing. The relief shall only be available at the first instance of revocation or forfeiture of that bail and within

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Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Judiciary B to the original bill.

1. Makes all previous instances of revocations or forfeitures of bail admissible at the contradictory hearing.
2. Requires that the release on the forfeited or revoked bail will only be available for the first revocation or forfeiture and within six months of the posting of the bail.